

REMARKS

Claims 1-10 were in the Application as filed. The Examiner made a restriction requirement, restricting the Claims into two groups, with Group I comprising Claims 1-2 and Group II comprising Claims 3-10. To further business interests, Applicants elected the Claims in Group II, *i.e.*, Claims 3-10, without traverse.

In the present Office Action, the Examiner rejected Claims 3-6 and 8-10 as allegedly being obvious under 35 USC §102(b) in view of U.S. Patent Nos. 5,302,347, 5,656,493, 5,681,741, and 5,856,174. The Examiner also rejected Claims 3, 4, 7, 8, 10 as allegedly being obvious under 35 USC §102(e) in view of U.S. Patent Nos. 6,258,329, 6,287,526, and 6,334,980.


I. The Presently Claimed Invention is Novel

The Examiner rejects Claims 3-6 and 8-10 as allegedly being obvious under 35 USC §102(b) in view of U.S. Patent Nos. 5,302,347, 5,656,493, 5,681,741, and 5,856,174 (Office Action, pgs. 2-3). The Examiner also rejected Claims 3, 4, 7, 8, 10 as allegedly being obvious under 35 USC §102(e) in view of U.S. Patent Nos. 6,258,329, 6,287,526, and 6,334,980 (Office Action, pg. 3). The Applicants respectfully disagree with the Examiner's rejections. However, in order to expedite the prosecution process, Independent Claims 3 and 10 are now amended to recite that the reaction chambers further comprise nucleic acid synthesis columns. The Specification provides ample support for these amendments (see, e.g., pgs. 3 and 7). The prior art cited by the Examiner do not teach nucleic acid synthesizers comprising reaction chambers comprising nucleic acid synthesis columns. As such, Independent Claims 3 and 10, as amended, overcome the prior art. The Applicants request the rejections be withdrawn.

CONCLUSION

All grounds of rejection of the Office Action of August 19, 2003 have been addressed and reconsideration of the application is respectfully requested. It is respectfully submitted that Applicant's claims as amended should be passed into allowance. If a telephone interview would aid in the prosecution of this application, Applicants encourage the Examiner to call the undersigned collect at (608) 218-6900.

Dated: November 19, 2003



David A. Casimir
Registration No. 42,395
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105